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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/222,554	12/29/1998	VORA V. SANJAY	2207/5939	3007
7590	01/05/2005			EXAMINER
JOHN C ALTMILLER KENYON & KENYON 1500 K Street NW Suite 700 WASHINGTON, DC 20005				HUYNH, CONG LAC T
			ART UNIT	PAPER NUMBER
			2178	
			DATE MAILED: 01/05/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Applicant No.</b>	<b>Applicant(s)</b>	
	09/222,554	SANJAY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Cong-Lac Huynh	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 August 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-9 and 13-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-9 and 13-25 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413) _____               |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. This action is responsive to communications: amendment filed on 8/3/04 to the application filed on 12/29/98.
2. Claims 10-12 are canceled.
3. Claims 1-9, 13-25 are pending in the case. Claims 1-3, 16, 20-22, 25 are independent claims.
4. The rejection of claim 17 under 35 U.S.C. 112, second paragraph, has been withdrawn in view of the amendment of claim 17.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-9, 16, 20-25 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Markowitz et al. (US Pat No. 6,311,185 B1, 10/20/01, filed 10/30/97) in view of Yu (US Pat No. 6,067,552, 5/23/00, filed 3/30/98, priority 8/21/95).

Regarding independent claim 1, Markowitz discloses:

- automatically determining a content data of the given information unit (col 1, lines 32-42, "...displaying advertisement on their Web pages...including an advertisement in the *original HTML data that defines a Web page*... a Web page containing travel tips ...could include... a hotel advertisement"; the fact that an advertisement is included directly in a Web page based on the data or the content of the Web page shows that the content data of a web page is determined automatically by the content provider; col 2, lines 60-64, the fact that the ISP can obtain the HTML data related to the web page from the Internet whenever a user requests a web page to be displayed on his browser inherently shows that the content data of the web page and also the content data of the advertisement are automatically determined by the system without any user intervention to decide which HTML data from the Internet is related to the web page; col 3, line 60 to col 4, lines 1-19, the fact that a software architecture is used to perform the process of selecting an appropriate advertisement for linking to a web page inherently shows that the steps of the selecting process including determining the web page to select a related advertisement are carried out

automatically since the software is implemented by a program where the steps are done automatically as defined)

- automatically selecting the chosen information unit as a function of the content data of the given information unit(col 2, lines 60 to col 3, lines 1-18,... the Web page currently being requested can similarly be used to select an appropriate advertisement...; the *chosen* information unit is considered as a *candidate* information unit since it is *selected* unit, and as in the abstract, the candidate information unit is an advertisement, therefore, the chosen information unit is an advertisement *selected as a candidate information unit* related to the content of a Web page)

Markowitz does not disclose that:

- said automatically determining is performed by searching the given information unit, indexing the given information unit to produce indexed data, and performing a relevancy ranking on the indexed data
- the chosen information unit is selected as a function of the relevancy ranking on the indexed data

Yu discloses:

- searching the given information unit (col 4, lines 11-15: "*traverse a hypertext database to retrieve an electronic document ...*")
- indexing the given information unit to produce an indexed data (col 4, lines 15-22: "*storing an index in association with the hypertext database, the index comprising...*")

Art Unit: 2178

- performing a relevancy ranking on the indexed data (col 4, lines 22-51, receiving a set of relevant index term values....comparing ..using the weighted relevancy ranking... producing a list of electronic documents... based on the relevancy ranking...)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Yu into Markowitz since Yu discloses indexing the terms included in the electronic documents and performing the relevancy ranking on the indexed data providing the advantage to utilize said relevancy ranking based on the indexed terms to fast searching of an advertisement in the advertisement repository database related to the requested web page by considering only the cases of the highest ranking terms.

Regarding independent claim 2, Markowitz discloses:

- determining a content data of the candidate information unit (col 1, lines 32-42; col 2, lines 60 to col 3, lines 1-18, the fact that an appropriate advertisement is selected to be included in a web page shows that the content data of an advertisement, which is a candidate information unit as explained in the abstract, is determined)
- automatically determining a content data of the given information unit (col 1, lines 32-42; col 2, lines 60 to col 3, lines 1-18, the fact that an appropriate advertisement is selected to be included in a web page shows that the content data of the web page, which is a given information unit, *is automatically*

Art Unit: 2178

*determined by the content provider to find out which HTML data is related to the web page)*

- comparing the content data of the given information unit to the content data of the candidate information unit (col 1, lines 32-42; col 2, lines 60 to col 3, lines 1-18, the fact that an appropriate advertisement is selected to be included in a Web page inherently shows that the content data of the candidate information unit, which is an advertisement, and the content data of the given information unit, which is a web page as explained in the abstract, *are compared* to see if the two are related to make an appropriate selection)
- selecting the candidate information unit for linking to the given information unit as a function of said step of comparing the content data of the given information unit to the content data of the candidate information unit (col 1, lines 32-42; col 2, lines 60 to col 3, lines 1-18)

Markowitz does not disclose that:

- said automatically determining is performed by searching the given information unit, indexing the given information unit to produce indexed data, and performing a relevancy ranking on the indexed data
- the chosen information unit is selected as a function of the relevancy ranking on the indexed data

Yu discloses:

- searching the given information unit (col 4, lines 11-15: "*traverse a hypertext database to retrieve an electronic document ...*")

Art Unit: 2178

- indexing the given information unit to produce an indexed data (col 4, lines 15-22: "storing an index in association with the hypertext database, the index comprising...")
- performing a relevancy ranking on the indexed data (col 4, lines 22-51, receiving a set of relevant index term values....comparing ..using the weighted relevancy ranking... producing a list of electronic documents... based on the relevancy ranking...)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Yu into Markowitz since Yu discloses indexing the terms included in the electronic documents and performing the relevancy ranking on the indexed data providing the advantage to utilize said relevancy ranking based on the indexed terms to rapidly searching of an advertisement in the advertisement repository database related to the requested web page by considering only the cases of the highest ranking terms.

Regarding to independent claim 3, claim 3 includes all the limitations of claim 2 and so is rejected under the same rationale, except in claim 3 the *step comparing is carried out automatically.*

Since Markowitz discloses a software architecture for performing the process of selecting an appropriate advertisement for linking to a web page (col 2, line 60 to col 3, lines 1-19), where the steps included in the process are done according to the program

of the software, Markowitz inherently discloses that the steps are done automatically without any user intervention.

Regarding claims 4 and 7, which are dependent on claims 3 and 4 respectively, Markowitz discloses placing the candidate information unit in a *look-up tree* according to the content data of the candidate information (figure 3, #320 database look-up and #330 select advertisement from database imply that the candidate information unit, which is an advertisement, is placed in a *look-up database* according to the content data of the candidate information so that an related advertisement to a web page can be selected to incorporate to the web page; in addition, it was well known that any database is organized in a *hierarchy format, or a tree format*). The given information unit is a Web page (as defined in the abstract), and therefore, it is available on the Internet.

Regarding claim 5, which is dependent on claim 4, Markowitz discloses that automatically comparing the content data of the given information unit to the content data of the candidate information unit comprises traversing the look-up tree (figure 3, #320 database lookup and #330 select advertisement from database, show the traversing the look-up tree since a database is organized as a tree structure, and lookup a database implies traversing that database; col 4, lines 7-18, the advertisement selected from database that relates to a web page shows that the content of the advertisement and the content of the web page are compared to find out their relationship).

Regarding claim 6, which is dependent on claim 4, Markowitz discloses that the structure of the look-up tree includes the content data of the candidate information (figure 3, #320, #330; col 4, lines 7-18, the database should include the content data of the candidate information so that the comparing is performed to select advertisement from the database).

Regarding claim 8, which is dependent on claim 3, Markowitz does not disclose that determining the content data of the candidate information unit includes:

- collecting the content data of the candidate information unit
- incorporating the content data into the candidate information unit
- storing the candidate information unit and the content data of the candidate information unit

Instead Markowitz discloses storing advertisements in the database for lookup and for selecting (figure 3, #320 and #330).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Markowitz to include collecting the content data of the candidate information unit and incorporating the content data into the candidate information unit since the step storing of the candidate information unit suggests that the candidate information unit should be created including the content data of the candidate information first.

Regarding claim 9, which is dependent on claim 3, Markowitz does not disclose that determining the content data of the candidate information unit includes:

- collecting the content data of the candidate information unit
- linking the content data into the candidate information unit
- storing the candidate information unit and the content data of the candidate information unit

The difference between claims 8 and 9 is that instead of using the word "incorporating" as in claim 8, the word "linking" is used in claim 9.

Since "linking the content data to the candidate information unit" has the same meaning as "incorporating the content data to the candidate information unit" where the content data is included to the candidate information unit, claim 9 discloses the same subject matter as in claim 8.

Claim 9, therefore, is rejected under the same rationale.

Regarding independent 16, Markowitz discloses:

- automatically determining a user computer system data (col 1, lines 32-42; col 2, lines 60 to col 3, lines 1-29, a web page, which is a user computer system data, is determined to select a related advertisement; figure 1, col 3, line 60 to col 4, lines 1-19, the fact that a software architecture is used for the process of selecting an appropriate advertisement for linking to a web page inherently shows that the steps of the process including determining the web page to select

a related advertisement are carried out automatically since the software is implemented by a program where the steps are done automatically as defined)

- selecting a chosen information unit as a function of the user computer system data (col 1, lines 32-42; col 2, lines 60 to col 3, lines 1-18; figure 3, #320-#340 selecting an appropriate advertisement to incorporate to a web page)

Markowitz does not disclose explicitly that said determining is performed by running a diagnostic program on the user computer system to determine at least one of a component coupled in said computer system and a software program loaded on said user computer system.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Markowitz to specify that the determining step is done by running a diagnostic program on the user computer system to determine at least one of a component coupled in said computer system and a software program loaded on said user computer system since it was well known that any computer system includes such a diagnostic program for recognizing a component coupled to the computer system, and any software that a user would like to use has to be loaded on the computer system.

Independent claims 20-22 are for a storage medium of method claims 1-3, and therefore are rejected under the same rationale.

Regarding claim 23, which is dependent on claim 4, Markowitz discloses that the candidate information unit includes an advertisement to be displayed to a user (col 1, lines 32-42; col 2, lines 60 to col 3, lines 1-18 as mentioned in claims 1-3).

Regarding claim 24, which is dependent on claim 4, Markowitz does not explicitly disclose that the look-up tree includes at least one folder and at least one sub-folder. However, it was well known that any database is organized in a hierarchy structure or a tree structure.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Markowitz to include at least one folder and at least one sub-folder in the database since the hierarchy structure of the database in Markowitz suggests a structure of multiple folders of different levels.

Regarding independent claim 25, Markowitz discloses:

- a server (figure 3, #200; col 2, lines 59-60, server 200)
- a given information unit (figure 3, #600 ISP; col 1, lines 43-51, the content provider such as an Internet Service Provider ISP provides the contents of the web pages)
- a candidate information unit coupled to said server and given information unit (figure 3, # 200 server, #600 ISP and #214 repository database including advertisements are connected together; col 2, lines 65 to col 3, lines 1-18) where the server adapted to:

Art Unit: 2178

- determine a content data of the candidate information unit (col 1, lines 32-42; col 2, lines 60 to col 3, lines 1-18, the fact that an appropriate advertisement is selected to be included in a Web page shows that the content data of an advertisement, which is a candidate information unit as explained in the abstract, is determined)
- automatically determine a content data of the given information unit (col 1, lines 32-42; col 2, lines 60 to col 3, lines 1-18, the fact that an appropriate advertisement is selected to be included in a Web page shows that the content data of a Web page, which is a given information unit as explained in the abstract, *is also determined* to find out the relationship between a web page and an related advertisement)
- automatically compare the content data of the given information unit to the content data of the candidate information unit to create a comparison result (col 1, lines 32-42; col 2, lines 60 to col 3, lines 1-18, the fact that an appropriate advertisement is selected to be included in a Web page shows the result of the comparison between the content data of the candidate information unit, which is an advertisement, and the content data of the given information unit, which is a given information unit as explained in the abstract, because the two include related data)
- link the candidate information to the given information unit as a function of the comparison result (col 1, lines 32-42; col 2, lines 60 to col 3, lines 1-18)

Markowitz does not disclose that:

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Art Unit: 2178

- said automatically determining is performed by searching the given information unit, indexing the given information unit to produce indexed data, and performing a relevancy ranking on the indexed data
- the chosen information unit is selected as a function of the relevancy ranking on the indexed data
- automatically comparing the ranked index data instead of comparing the content data as above

Yu discloses:

- searching the given information unit (col 4, lines 11-15: "*traverse a hypertext database to retrieve an electronic document ...*")
- indexing the given information unit to produce an indexed data (col 4, lines 15-22: "storing an index in association with the hypertext database, the index comprising...")
- performing a relevancy ranking on the indexed data (col 4, lines 22-51, receiving a set of relevant index term values....comparing ..using the weighted relevancy ranking... producing a list of electronic documents... based on the relevancy ranking...)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Yu into Markowitz since Yu discloses indexing the terms included in the electronic documents and performing the relevancy ranking on the indexed data providing the advantage to compare the ranked index data, which are indexed terms, included in the web pages in supporting the search process and to

utilize said relevancy ranking based on the indexed terms to rapidly searching of an advertisement in the advertisement repository database related to the requested web page by considering only the cases of the highest ranking terms.

8. Claims 13-15, 17-19 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Markowitz as applied to claim 3 above, and further in view of Yu (US Pat No. 6,067,552, 5/23/00, filed 3/30/98, priority 8/21/95).

Regarding claims 13-14, which are dependent on claim 3, Markowitz discloses that the given information is available on the Internet, the given information includes a page of content on the World Wide Web, and the candidate information unit includes an advertisement to be displayed to a user (col 1, lines 32-42, col 2, lines 60 to col 3, lines 1-18, the given information is a web page, so it is available on the Internet, the related advertisement to a web page is displayed to a user).

Regarding claim 15, which is dependent on claim 3, Markowitz does not disclose that determining a content data of the given information unit further includes:

- selecting a keyword
- counting a number of occurrences of the key word
- ranking the key word according to the number of occurrences of the keyword

Yu discloses:

Art Unit: 2178

- counting a number of occurrences of the key word (col 3, lines 43-58, ...the number of times a keyword appears in the content of the document....)
- ranking the key word according to the number of occurrences of the keyword (col 4, lines 23-63, ...setting a weighted relevancy ranking of each descriptive index term... )

Yu does not disclose explicitly selecting a keyword. However, the counting of a number of occurrences of the keyword in Yu shows that the keyword is selected for occurrence counting.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Yu into Markowitz for fast rendering the related data from a database using the ranking of keywords in a document.

Regarding claim 17, which is dependent on claim 3, Markowitz discloses:

- accessing a user computer system through a user Internet connection (figure 1)
- querying the user computer system to determine a user computer system data (col 2, lines 60-64, a user at the PC 500 requests a Web page)
- returning the computer system data through the user Internet connection (col 2, lines 60-64, a requested web page from the Internet is displayed to a user)

Regarding claim 18, which is dependent on claim 3, Markowitz discloses that the given information unit includes a user-input information (col 2, lines 60-64, since a user has to

make a request for a web page, the user has to input some information relating to a web page in the request).

Regarding claim 19, which is dependent on claim 14, Markowitz discloses:

- obtaining a user-input information (col 2, lines 60-64, the user input information for a web page is obtained in the user request)

Markowitz does not disclose incorporating the user-input information into the content data of the given information unit. Instead Markowitz discloses that once a user request for a web page is sent to the Internet Service Provider ISP, the ISP can obtain the HTML data related to the web page from the Internet (col 2, lines 60-64).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Markowitz to include incorporating the user-input information into the content data of the given information unit. The fact that the ISP can obtain the HTML data related to the web page from the Internet suggests that the user-input information, which is actually the keyword in the request, is included in the web page, the given information.

#### ***Response to Arguments***

9. Applicant's arguments filed 8/3/04 have been fully considered but they are not persuasive.

10. Applicants argue that the attributes in Markovitz relates to how to put an advertisement into an HTML page, and so the attributes do not relate to the contents of the advertisements and the requested web page (Remarks, pages 9-10). Examiner agrees that the attributes in Markovitz do not relate to the contents of the advertisement and the requested web page. However, in the Response to Arguments in the previous office action, Examiner also pointed out that Markovitz discloses selecting a sport-related advertisement to a sport web page (col 3, lines 2-12: "if a user has previously requested a large number of Web pages related to sports, an advertisement for a sporting good store might be selected ..."). The fact that a *sport-related advertisement* is selected for a *sport web page* inherently shows that the advertisement selection in Markovitz is based on the content of the requested web page and the content of the advertisement.

11. Applicants argue that Markovitz provides little disclosure about the automatic determining of a content data of the given information unit in column 2, line 65 to col 3, line 18 (Remarks, page 10).

Examiner respectfully disagrees.

Examiner did not cite col 2, line 65 to col 3, line 18 for said determining feature but cited col 1, lines 32-42, col 2, lines 60-64, and col 3, line 60 to col 4, line 19 (see the previous office action, pages 3-4).

12. Applicants argue that Markovitz provides no disclosure as to what is stored in "the history database 210", no disclosure as how a web page currently being requested can be used to select an appropriate advertisement, whereas the office action attempts to supplement the Markovitz disclosure where such supplementation is come from the Applicants disclosure to compare Markovitz disclosure to the pending claims (Remarks, page 10).

Examiner respectfully disagrees.

Markovitz discloses that "*A history database can be consulted by the server when selecting the advertisement. For example, if a user had previously requested a large number of Web pages related to sports, an advertisement for a sporting goods store might be selected*" (col 3, lines 2-6). Clearly, examining a list of a large number of web pages related to sports previously requested by a user is one example of how the server consults the history database to determine the topic of the large number of web pages and to select a related advertisement. The supplementation, therefore, is come from Markovitz disclosure, not from Applicants disclosure.

13. Applicants argue that it is unclear as to how storing advertisements in a history database would lead one to determine content data of the given information unit and selecting a chosen information unit based on it (Remarks, page 10).

Examiner would like to make it clear that the database disclosed in figure 3 as cited in the previous office action is the advertisement repository database (step #330: select advertisement from database). The history database, on the other hand, is for storing

the requested web page history, not the advertisements, so that such a history would be provided to a server to determine the topic of said web pages via the contents of the web pages and to select a related advertisement in the advertisement repository database.

14. Applicants argue that there is no disclosure as how it is "easy to determine what field said web page or web site is related to" is done since all Markovitz says is that "if a user has previously requested a large number of web pages related to sports, and advertisement for sporting goods store might be selected" (Remarks, page 10).

Examiner respectfully disagrees.

As mentioned above, the way the server consults the history database is by examining a large number of web pages requested by a user and recorded in the history database to derive the topic of said web pages and to select a related advertisement: "A history database *can be consulted by the server* when selecting the advertisement. For example, if a user had previously requested a large number of Web pages related to sports, an advertisement for a sporting goods store might be selected" (col 3, lines 2-6). Therefore, Markovitz inherently discloses how to determine what field the web page or web site is related to based on consulting the history database by the server.

***Conclusion***

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Davis et al. (US Pat No. 6,643,696 B2, 11/4/03, filed 12/11/98, priority 3/21/97).

Himmel et al. (US Pat No. 6,317,782 B1, 11/13/01, filed 5/15/98).

Perlman (US Pat No. 6,237,039 B1, 5/22/01, filed 6/30/98).

Flavin et al. (US Pat No. 6,219,788 B1, 4/17/01, filed 5/14/98).

Fuller et al. (US Pat No. 6,216,112 B1, 4/10/01, filed 5/27/98).

Yuan et al., The Relationship between Advertising and Content Provision on the Internet, European Journal of Marketing, 1998, vol. 32, pg. 677.

Hofacker et al., World Wide Web Banner Advertisement Copy Testing, European Journal of Marketing, 1998, vol. 32, pg. 703.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



STEPHEN HONG  
SUPERVISORY PATENT EXAMINER

Clh  
12/13/04